

106TH CONGRESS
1ST SESSION

S. 581

To protect the Paoli and Brandywine Battlefields in Pennsylvania, to authorize a Valley Forge Museum of the American Revolution at Valley Forge National Historical Park, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 10, 1999

Mr. SPECTER introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To protect the Paoli and Brandywine Battlefields in Pennsylvania, to authorize a Valley Forge Museum of the American Revolution at Valley Forge National Historical Park, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Pennsylvania Battle-
5 fields Protection Act of 1999”.

TITLE I—PAOLI AND BRANDYWINE BATTLEFIELDS

SEC. 101. DEFINITIONS.

In this title:

(1) **BRANDYWINE BATTLEFIELD.**—The term “Brandywine Battlefield” means land in an area generally known as the Meetinghouse Road Corridor, located in Chester County, Pennsylvania, as depicted on the Brandywine map.

(2) **BRANDYWINE MAP.**—The term “Brandywine map” means the map entitled “Brandywine Battlefield-Meetinghouse Road Corridor”, numbered _____ and dated _____.

(3) **PAOLI BATTLEFIELD.**—The term “Paoli Battlefield” means the area located in the borough of Malvern, Pennsylvania, as generally depicted on the Paoli map.

(4) **PAOLI MAP.**—The term “Paoli map” means the map entitled “Paoli Battlefield”, numbered 71572 and dated February 17, 1998.

(5) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(6) **STATE.**—The term “State” means the State of Pennsylvania.

1 **SEC. 102. PAOLI BATTLEFIELD PROTECTION.**

2 (a) PAOLI BATTLEFIELD.—

3 (1) FUNDING.—The Secretary may provide
4 funds to the borough of Malvern, Pennsylvania for
5 the protection and preservation of the Paoli Battle-
6 field.

7 (2) AVAILABILITY OF PAOLI MAP.—The Paoli
8 map shall be on file in the appropriate offices of the
9 National Park Service.

10 (b) COOPERATIVE AGREEMENT AND TECHNICAL AS-
11 SISTANCE.—

12 (1) COOPERATIVE AGREEMENT.—The Secretary
13 shall enter into a cooperative agreement with the
14 borough of Malvern, Pennsylvania for management
15 of the Paoli Battlefield by the borough.

16 (2) TECHNICAL ASSISTANCE.—The Secretary
17 may provide technical assistance to the borough of
18 Malvern to ensure the preservation and interpreta-
19 tion of the resources of the Paoli battlefield.

20 (c) AUTHORIZATION OF APPROPRIATIONS.—

21 (1) IN GENERAL.—There is authorized to be
22 appropriated \$2,500,000 to carry out this section.

23 (2) USE OF APPROPRIATED FUNDS.—Amounts
24 made available under paragraph (1) shall be pro-
25 vided to the borough of Malvern, Pennsylvania only
26 to the extent that the funds are matched, on an 1-

1 to-1 basis, with contributions from non-Federal
2 sources.

3 (3) AGREEMENT ON PROVISION OF FUNDS.—

4 Any use of funds provided by the Secretary shall be
5 in accordance with an agreement that protects the
6 resources of the Paoli Battlefield.

7 **SEC. 103. BRANDYWINE BATTLEFIELD PROTECTION.**

8 (a) BRANDYWINE BATTLEFIELD.—

9 (1) IN GENERAL.—The Secretary is authorized
10 to provide funds to the State, a political subdivision
11 of the State, or the Brandywine Conservancy for the
12 protection and preservation of the Brandywine Bat-
13 tlefield.

14 (2) AVAILABILITY OF BRANDYWINE MAP.—The
15 Brandywine map shall be on file in the appropriate
16 offices of the National Park Service.

17 (b) COOPERATIVE AGREEMENT AND TECHNICAL AS-
18 SISTANCE.—

19 (1) COOPERATIVE AGREEMENT.—The Secretary
20 shall enter into a cooperative agreement with the en-
21 tity that is provided funds under subsection (a) for
22 management of the Brandywine Battlefield by the
23 entity.

24 (2) TECHNICAL ASSISTANCE.—The Secretary
25 may provide technical assistance to the entity de-

1 scribed in paragraph (1) to ensure the preservation
 2 and interpretation of the resources of the Brandy-
 3 wine Battlefield.

4 (c) AUTHORIZATION OF APPROPRIATIONS.—

5 (1) IN GENERAL.—There is authorized to be
 6 appropriated \$3,000,000 to carry out this section.

7 (2) USE OF APPROPRIATED FUNDS.—Amounts
 8 made available under paragraph (1) shall be pro-
 9 vided to the entity described in subsection (a) only
 10 to the extent that the funds are matched, on an 1-
 11 to-1 basis, with contributions from non-Federal
 12 sources.

13 (3) AGREEMENT ON PROVISION OF FUNDS.—
 14 Any use of funds provided by the Secretary shall be
 15 in accordance with an agreement that protects the
 16 resources of the Brandywine Battlefield.

17 **SEC. 104. STUDY OF BATTLEFIELDS.**

18 (a) IN GENERAL.—Not later than 18 months after
 19 the date on which funds are made available to carry out
 20 this section, the Secretary shall submit a resource study
 21 of the property described in sections 101 and 102 to—

22 (1) the Committee on Energy and Natural Re-
 23 sources of the Senate; and

24 (2) the Committee on Resources of the House
 25 of Representatives.

1 (b) CONTENTS.—The resource study described in
 2 subsection (a) shall—

3 (1) identify the full range of resources and his-
 4 toric themes associated with the Paoli Battlefield
 5 and the Brandywine Battlefield, including the rela-
 6 tionship of the resources and historic themes to the
 7 American Revolutionary War and the Valley Forge
 8 National Historical Park; and

9 (2) identify alternatives for National Park Serv-
 10 ice involvement at the sites, including cost estimates
 11 for any necessary acquisition, development, interpre-
 12 tation, operation, and maintenance associated with
 13 the alternatives identified.

14 (c) AUTHORIZATION OF APPROPRIATIONS.—There
 15 are authorized to be appropriated such sums as are nec-
 16 essary to carry out this section.

17 **TITLE II—VALLEY FORGE** 18 **NATIONAL HISTORICAL PARK**

19 **SEC. 201. FINDINGS AND PURPOSE.**

20 (a) FINDINGS.—Congress finds that—

21 (1) Valley Forge National Historical Park was
 22 established as a unit of the National Park System
 23 in 1976;

1 (2) the National Park Service acquired various
2 land and structures associated with the Park, includ-
3 ing a visitor center, from the State of Pennsylvania;

4 (3) the Park maintains an extensive collection
5 of—

6 (A) artifacts, books, and other documents
7 associated with the Continental Army’s winter
8 encampment during 1777 and 1778 at Valley
9 Forge;

10 (B) Revolutionary War-era artifacts of
11 military life;

12 (C) important archaeological resources;
13 and

14 (D) numerous structures and associated
15 artifacts;

16 (4) during the period 1982 through 1997, the
17 National Park Service completed a general manage-
18 ment plan, a long-range interpretive plan, and a
19 strategic business plan that established goals and
20 priorities for management of the Park;

21 (5) the plans described in paragraph (4)—

22 (A) identify inadequacies in the visitor cen-
23 ter and interpretive programs of the Park;

24 (B) call for the development of a new or
25 significantly renovated visitor center that would

1 make the Park's collection accessible to the
2 public through exhibits and research facilities;
3 and

4 (C) call for improvements to the interpre-
5 tation of the landscape and the circulation into
6 and through the Park;

7 (6) the Valley Forge Historical Society was es-
8 tablished in 1918 as a nonprofit organization to pre-
9 serve and interpret for future generations the sig-
10 nificant history and artifacts of the American Revo-
11 lution in their historic setting at Valley Forge;

12 (7) the Society has amassed valuable holdings
13 of artifacts, art, books, and other documents relating
14 to the encampment of Washington's Continental
15 Army at Valley Forge during 1777 and 1778, the
16 American Revolution, and the American colonial era;

17 (8) the Society continues to acquire additional
18 important collections through bequests, exchanges,
19 and other acquisitions;

20 (9) the Society's collection is housed in a facil-
21 ity that is inadequate to properly maintain, preserve,
22 and display the ever-growing collection;

23 (10) the Society would like to develop an up-to-
24 date museum and education facility;

1 (11) the Society and the National Park Service
2 have discussed the idea of a joint museum, edu-
3 cation, and visitor facility that would directly sup-
4 port the historical, educational, and interpretive ac-
5 tivities and needs of the Park and the Society;

6 (12) the joint facility described in paragraph
7 (11) would—

8 (A) combine 2 outstanding museum collec-
9 tions; and

10 (B) provide an enhanced experience at Val-
11 ley Forge for visitors, scholars, and researchers;
12 and

13 (13) the Society has submitted a proposal to
14 raise funds to construct a new museum, education,
15 and visitor center on Park property that would be
16 planned, developed, and operated jointly with the
17 Park.

18 (b) PURPOSE.—The purpose of this Act is to author-
19 ize the Secretary of the Interior to enter into an agree-
20 ment with the Society to construct and operate a museum
21 within the boundary of the Park.

22 **SEC. 202. DEFINITIONS.**

23 In this title:

1 (1) MUSEUM.—The term “Museum” means the
2 Valley Forge Museum of the American Revolution
3 established under section 203(a).

4 (2) PARK.—The term “Park” means the Valley
5 Forge National Historic Park.

6 (3) SECRETARY.—The term “Secretary” means
7 the Secretary of the Interior.

8 (4) SOCIETY.—The term “Society” means the
9 Valley Forge Historical Society.

10 **SEC. 203. VALLEY FORGE MUSEUM OF THE AMERICAN REV-**
11 **OLUTION AUTHORIZATION.**

12 (a) VALLEY FORGE MUSEUM AGREEMENT.—The
13 Secretary, in administering the Park, is authorized to
14 enter into an agreement with the Society to facilitate the
15 planning, construction, and operation of the Museum on
16 Federal land within the Park.

17 (b) SPECIFIC PURPOSES OF AGREEMENT.—The
18 agreement described in subsection (a) shall—

19 (1) authorize the Society—

20 (A) to operate the Museum in cooperation
21 with the Secretary;

22 (B) to provide Museum programs and serv-
23 ices related to the story of Valley Forge and the
24 American Revolution to visitors to the Park;

1 (C) to engage, as a nonprofit organization,
2 in activities appropriate for operation of a mu-
3 seum that may include—

4 (i) charging fees;

5 (ii) conducting events; and

6 (iii) selling merchandise, tickets, and
7 food to visitors to the Museum; and

8 (D) to occupy any structure constructed
9 for the term specified in the agreement de-
10 scribed in subsection (a), subject to—

11 (i) the conveyance by the Society to
12 the United States of the right, title, and
13 interest in any structure to be constructed
14 at the Park; and

15 (ii) the right of the Society, that shall
16 not be transferred or conveyed without the
17 express consent of the Secretary, to occupy
18 and use any structure—

19 (I) for the exhibition, preserva-
20 tion, and interpretation of artifacts
21 associated with the Valley Forge story
22 and the American Revolution;

23 (II) to enhance visitor experience
24 to the Park;

1 (III) to conduct appropriately re-
2 lated activities of the Society consist-
3 ent with its mission; and

4 (IV) any other terms and condi-
5 tions as may be determined by the
6 Secretary;

7 (2) authorize the Secretary to undertake at the
8 Museum activities related to the management of the
9 Park, including the provision of appropriate visitor
10 information, interpretive facilities, and programs re-
11 lated to the Park; and

12 (3) provide that the Society's revenues from the
13 Museum's facilities and services shall be used to off-
14 set the expenses of the operation of the Museum.

15 **SEC. 204. PRESERVATION AND PROTECTION.**

16 Nothing in this Act authorizes the Secretary or the
17 Society to act in derogation of the preservation and protec-
18 tion of the values and resources of the Park.

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